

APPLAUDING DECISION ORDERING NEW WHOLESALE AND UNBUNDLING RULES

(Mr. MEEKS of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEEKS of New York. Mr. Speaker, I rise this morning to applaud the D.C. Circuit Court's decision on Tuesday ordering the FCC to come up with new wholesale and unbundling rules that can pass legal approval. This decision sets U.S. telecom policy on the correct path as envisioned by both Chambers of Congress when we passed the Telecom Act of 1996.

This requirement that the regulated local phone companies lease their phone lines to competitors at below-cost rates, ensuring constant financial losses, as witnessed over the past 3 years, has severely hindered investment and service quality to many communities, both large and small.

The time for the FCC to act is now, and with the same sense of urgency the agency displayed after the Super Bowl half-time show. Quick action by Chairman Powell will help spur investment and job creation at a time when our Nation and this sluggish economy certainly need a boost.

APPOINTMENT OF CONFEREES ON H.R. 3108, PENSION FUNDING EQ- UITY ACT OF 2003

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3108) to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to temporarily replace the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements and other provisions, and for other purposes, with House amendments to the Senate amendment thereto, insist on the House amendments to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from Ohio? The Chair hears none and, without objection, appoints the following conferees: From the Committee on Education and the Workforce for consideration of the House bill and the Senate amendment and modifications committed to conference: Messrs. BOEHNER, McKEON, JOHNSON of Texas, TIBERI, GEORGE MILLER of California and Mr. ANDREWS; from the Committee on Ways and Means for consideration of the House bill and Senate amendment and modifications committed to conference: Messrs. THOMAS, PORTMAN and RANGEL.

There was no objection.

POSITIVE IMPACT OF NO CHILD LEFT BEHIND ON SPECIAL EDU- CATION STUDENTS

(Mr. BOEHNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOEHNER. Mr. Speaker, yesterday in the Committee on Education and the Workforce, we were pleased to have a hearing on No Child Left Behind and its impact on special education students. For the first time in history, those students in special education will be judged based on results and the fact that we know that children with disabilities can, in fact, learn.

We had four distinguished witnesses from around the country talking about how special education is changing as a result of No Child Left Behind. School districts now must focus in on results for our special needs children. These four witnesses, a parent, a school superintendent and two education experts, talked about how special education students are in fact learning more and improving their capability.

For most children with special needs, there really is no excuse that they cannot read and write and become literate like all other children. Many children in special education can do far more than that; and by focusing in on results for children with special needs, we can in fact meet our goal with No Child Left Behind, which is just that: let us leave no child in America behind.

GENERAL LEAVE

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3752.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

COMMERCIAL SPACE LAUNCH AMENDMENTS ACT OF 2004

The SPEAKER pro tempore (Mr. BOEHNER). Pursuant to House Resolution 546 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3752.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3752) to promote the development of the emerging commercial human space-flight industry, to extend the liability indemnification regime for the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, and for

other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York (Mr. BOEHLERT) and the gentleman from Tennessee (Mr. GORDON) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me begin by thanking the gentleman from California (Mr. ROHRBACHER), the chairman of our Subcommittee on Space and Aeronautics, for introducing this measure, for continually pressing for its passage, and for working so cooperatively with us while crafting it. He has single-handedly made this a priority issue for the entire committee.

I have to admit, when the gentleman from California (Mr. ROHRBACHER) first came forward with the idea for this bill, I thought the notion was, well, a little flighty. But through our hearings and other work on this bill, I have come to see this as one of the most important measures this committee will move this year. Let me tell you why. This is about a lot more than joyrides in space, although there is nothing wrong with such an enterprise. This is about the future of the U.S. aerospace industry.

As in most areas of American enterprise, the greatest innovations in aerospace are most likely to come from small entrepreneurs. This is true whether we are talking about launching humans or cargo. The goal of this bill is to promote robust experimentation, to make sure that entrepreneurs and inventors have the incentives and the capabilities they need to pursue their ideas. That is important to our Nation's future.

Those entrepreneurs, the kinds of folks who are inventing new rockets for cargo and who are endowing and competing for the X Prize, are doing our Nation a tremendous service; and, I should add, they also seem to be enjoying themselves. That is a winning combination.

So what do these people need from us? The simplistic answer is they just need government to get out of the way. But, as usual, the truth is a little more complex. The innovators need and are seeking a government regulatory regime that will provide predictability, a regime that can offer stability and support to help them attract private capital; and the general public needs such a regime as well to ensure that the public at large faces no undue health or safety risk from any flights. In short, this industry requires government regulation, but not so much regulation as to stifle it.

This bill, which has been painstakingly negotiated with all interested parties, strikes the proper balance. It